

REMARKS

The application has been amended in a manner that is believed to place it in condition for allowance at the time of the next Official Action.

Claims 2-23 are currently pending in the application. Claim 1 has been canceled. Claims 2-22 have been amended to better define the claimed invention. Claim 23 has been added to better define the invention previously claimed in claim 1. Support for the amendments can be found in the originally filed claims as well as the drawings.

Claim 13 was objected to in the Official Action Summary Form PTOL-326, but applicants could not locate the reasons for the objection in the Official Action. Applicants respectfully request the withdrawal of the objection.

Claims 1-2, 4, 7, 12, 19-20 and 22 were rejected under 35 USC §102(e) as being anticipated by LEFEVRE DU GROSRIEZ et al. ("GROSRIEZ") 6,602,575. Applicants respectfully disagree.

GROSRIEZ discloses stacked folded supple sheets. Each sheet is folded in the transverse and longitudinal directions to create a two-panel sheet. Each panel is the thickness of two supple sheets. GROSRIEZ discloses that the sheets are intertwined by inserting half of one sheet (i.e. a panel) between opposing halves (i.e. two panels) of an adjacent sheet (e.g. see Figure 6 in light of Figure 2). Although GROSRIEZ discloses inserting a "panel" of a first sheet in between two "panels" of

an adjacent sheet, GROSRIEZ fails to disclose or suggest that the "panel" has the thickness of a single sheet, and a panel of a first material sheet is enclosed by two panels of a next second material sheet, as presently claimed in claim 23 (e.g. see Figure 1).

Since GROSRIEZ does not anticipate claim 23 which is the independent claim, GROSRIEZ cannot anticipate claims 2, 4, 7, and 12, which depend from claim 23.

With respect to method claims 19-20 and 22, GROSRIEZ discloses a first step of folding both a first web and a second web of individual supple sheets along longitudinal folding lines and a next step of applying the first web of sheets to the second web of sheets (e.g. see Figure 19). However, GROSRIEZ does not disclose a method of producing a stack of material sheets by following a first step of applying a first web of individual material sheets to a second web of individual material sheets and a next step of folding the second web along a first longitudinal folding line so that the second web encloses a part of the first web, as recited in claim 19 of the present invention.

Since claims 20 and 22 depend from claim 19, and claim 19 is not anticipated by GROSRIEZ, claims 20 and 22 are also not anticipated by GROSRIEZ.

Thus, in view of the above, applicants believe that GROSRIEZ fails to anticipate the claimed invention.

Claims 3, 8-11, 13, and 21 were rejected under 35 USC §103(a) as being obvious over GROSRIEZ. As discussed above, GROSRIEZ does not disclose the claimed invention of the stack of material sheets or the method of producing the stack of material sheets as recited in independent claims 23 and 19, respectively. Thus, claims 3, 8-11, 13, and 21, which depend from claims 23 and 19, cannot be obvious over GROSRIEZ.

Claims 5 and 6 were rejected under 35 USC §103(a) as being obvious over GROSRIEZ in view of HEATHCOCK et al. 6,012,572. GROSRIEZ fails to teach the claimed invention as discussed above. HEATHCOCK teaches a facial tissue dispensing system for dispensing large tissues. HEATHCOCK fails to remedy the shortcomings of GROSRIEZ. HEATHCOCK does not teach a stack of material sheets wherein each sheet includes panels, each panel arranged such that a single panel of a first material sheet is enclosed by two panels of a next second material sheet. HEATHCOCK also fails to teach a method of producing a stack of material sheets, wherein a first web of individual material sheets is applied to a second web of individual material sheets followed by folding the second web over the first web so as to enclose a part of the first web. Therefore, applicants respectfully request that the rejection be withdrawn.

Claims 14 and 16 were rejected under 103(a) as obvious over GROSRIEZ in view of LETO 5,678,728. As discussed above, GROSRIEZ fails to disclose or suggest a stack of material sheets

or a method of stacking said material sheets as recited in the currently pending claims. LETO discloses a dispenser for flexible sheets, and LETO fails to remedy the shortcomings of GROSRIEZ. LETO neither discloses nor suggests a stack of material sheets and a method of stacking material sheets as recited in the currently pending claims. Therefore, applicants respectfully request that the rejection be withdrawn.

Claims 15 and 18 were rejected under 35 USC §103(a) as being obvious over GROSRIEZ in view of WU Publication No. US 2003/0213810A1. As discussed above, GROSRIEZ fails to teach the recited stack of material sheets or method of producing the stack of material sheets as currently recited in the claims. WU neither discloses nor suggests a stack of material sheets or a method of stacking materials sheets as recited in the currently pending claims. WU fails to remedy the shortcomings of GROSRIEZ. Therefore, applicants respectfully request that the rejection be withdrawn.

Claim 17 was rejected under 35 USC §103(a) as being obvious of GROSRIEZ in view of WU and further in view of LETO. Applicants note that in stating the rejection, the Examiner stated that GROSRIEZ and WIERSCHKE do not disclose that a stack of material sheets is arranged in a dispenser. It is unclear if WIERSCHKE is actually being relied on in the rejection or not. In any case, as stated above, GROSRIEZ fails to disclose or suggest a stack of material sheets or a method of stacking the

material sheets as recited in the currently pending claims. WU and LETO fail to remedy the shortcomings of GROSRIEZ as also discussed above. Therefore, applicants respectfully request that the rejection be withdrawn.

In view of the above, applicants believe that the present application is in condition for allowance at the time of the next Official Action. Allowance and passage on that basis is respectfully requested.

The Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 25-0120 for any additional fees required under 37 C.F.R. § 1.16 or under 37 C.F.R. § 1.17.

Respectfully submitted,

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